



CQ69

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August 14, 2002

NEPA Task Force  
P.O. Box 221150  
Salt Lake City, UT 84122

Subject: Implementation of the National Environmental Policy Act

To Whom It May Concern:

The Port of Long Beach acts as the local lead to enact California Environmental Quality Act (CEQA) for projects within its jurisdiction. As such we often prepare or participate in the preparation of joint NEPA and CEQA documents. We have encountered several instances of unclear direction and poor inter-agency communication that have resulted in costly delays and document revisions.

Our comments relate specifically to the Federal Register notice of July 9, 2002.

Study Area B

- Regional branches of a federal agency are sometimes not consistent with guidance from Washington, D.C. For example, the Los Angeles District of the U.S. Army Corps of Engineers has started analyzing air and water quality impacts – and imposing mitigation measures - related to upland developments even though Washington has indicated that the Corps' jurisdiction is confined to those impacts affecting the navigable waterways of the U.S.
- Federal agencies sometimes cannot provide guidance on incorporating state or local requirements into joint documents. For example, the U.S. Army Corps of Engineers does not have guidance documents and the Federal Highway Administration uses the California Department of Transportation's (Caltrans) guidance documents. In such cases, if the federal project manager is experienced then the local agency can rely on his or her expertise, but inexperienced project managers usually cannot provide clear guidance.
- When federal agencies require a local lead to work through another agency to address NEPA, the process is often hampered. For example, in California, in order to get information or approvals from the Federal Highway Administration we must work through Caltrans. Sometimes it is not clear that Caltrans is interpreting federal policy accurately and there is no way to verify information or procedures.

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Study Area D

The State of California through CEQA has its own Mitigation Monitoring and Reporting Program requirements. Accordingly, for those states that already have a program in place, additional mitigation monitoring would be redundant. We recommend that federal agencies be directed to adopt those portions of state-mandated mitigation monitoring programs that pertain to their jurisdiction rather than requiring separate, redundant federal programs.

We hope that the Task Force will take these issues into account when drafting new procedures and policies. If you have any questions please contact Ms. Stacey Crouch at (562) 590-4160.

Sincerely,

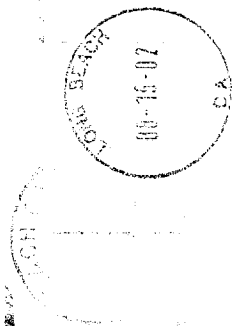
  
Robert Kanter, Ph.D.  
Director of Planning

SEC:s

cc: Tom Chase, AAPA

*The Honorable Long Beach*

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